IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Original Jurisdiction

Dated: Nainital: the 25th day of September, 2006
First Bail Application No. 652 of 2006

Criminal Side

Sonu
S/o Shri Prem Lal
R/o Old Tehri Road, Near Sulabh Shauchalaya
Chamba, District Tehri Garhwal .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Crime No. 470 of 2006
Under Sections: 376 I.P.C.
P.S.: Chamba
District: Tehri Garhwal.

Hon'ble Prafulla C. Pant, J.

Heard Shri Ramji Srivastava, learned counsel for the applicant and Shri Bhuwan Chandra Joshi, learned A.J.A. for the State.

Applicant- Sonu, who is in jail in connection with crime No. 470 of 2006 relating to offences punishable under Section 376 I.P.C., P.S. Chamba, District-Tehri Garhwal, has sought his release on bail.

As per the allegations in the First Information Report, a minor girl Malti, is said to have been raped by the applicant. The First Information Report, further discloses that the applicant on the point of Knife, took the girl after making her younger brother flee from the scene of occurrence. The medical report corroborates the allegations in the First Information Report as there were marks of struggle on the person of victim.

Learned counsel for the applicant drew, attention of this Court to the fact that in the name and parentage of the victim, there is discrepancy in the medical reports. However, same doesn't appear to be material.

After considering the facts and circumstances of the case, in the opinion of this Court, it is not a fit case for bail. The bail application is rejected.

(Prafulla C. Pant, J.)

Dt: 25.09.2006
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